November 9, 1959

Excellency:

I have the honor to refer to a brochure received on November 6 from the Press Department of the Ministry of State of the Government of Cuba which bears the imprimatur of the Public Relations Department of that Ministry. This publication is in the English language and is entitled, "Cuba denounces before the world".

After carefully reviewing this brochure I must state to Your Excellency that I consider it to be a shocking compilation of half-truths, innuendos and insinuations published in what seems to be a deliberate attempt to inflame world opinion against the Government of the United States on the malicious pretext that it countenanced or gave tacit approval to the flight of a plane or planes over the City of Habana on October 21. I find it almost unbelievable that the Government of Cuba has seen fit to distort and misrepresent this matter in this way. I am particularly aggrieved at this action in view of the categoric statement of the Ambassador of the United States to the President of Cuba on October 27 that the Government of the United States possesses no evidence that the B-25 aircraft which distributed leaflets over the City of Habana on October 21 had also dropped bombs or strafed during its flight. In the interim since that date a careful examination of this plane has revealed that at the time of the

His Excellency

Dr. Ernesto Dihigo,

Ambassador of Cuba.

Correction made by RM/R 6/M/61

DEPARTMENT OF STATE A/CDC/MR
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of the flight its bomb bay was fitted with a permanent luggage rack which made it impossible for it to drop bombs. Furthermore, the automatic weapons positions were found to be permanently sealed making it impossible to mount machine guns or cannon on this plane. No trace was found of explosives or weapons or any evidence that weapons had been fired from this plane; nor does it bear any marks of damage from anti-aircraft fire. The Government of the United States has no evidence that any other aircraft from the United States was flying over Habana on this occasion. Furthermore, the Government of the United States, in spite of its request, has received no official information on this subject from the Government of Cuba.

The Government of the United States has also noted that in addition to the press report of the National Police of Cuba various other informed sources in Cuba have reported that the above mentioned plane was not observed to drop bombs or strafe. An analysis of the available evidence, including eye-witness reports, indicates that many, if not all, of the persons injured received their wounds either from stray rounds of 20 and 40 mm shell fragments from fire by the Cuban Armed Forces or from grenades or bombs thrown from automobiles by terrorists.

I have noted that the brochure makes reference to "fugitives from justice who now, under the protection of politicalasylum, violate international law by launching new and criminal attacks against Cuba". This statement and other remarks in a similar vein made in the past by officials of the Government of Cuba imply that the Government of Cuba considers that the Government of the United States in some unexplained manner has been unduly protecting individuals in the United States from Cuban prosecution.

This is

This is not the case. I must emphasize to Your Excellency that the Government of the United States is a Government of laws and that the Treaty of Extradition which exists between our countries is a part of the body of law under which we are governed. This Treaty clearly delineates the conditions and the procedure to be followed in seeking the return to Cuba of alleged fugitives from Cuban justice who are in this country. Ten months have elapsed since the formation of the present Government of Cuba, during which several consultations have been held between officials of our respective Governments as to the procedures to be followed under the above Treaty and other United States laws on the subject. Despite the time elapsed and the consultations since early 1959, no formal requests have been made to the Government of the United States by the Government of Cuba under the terms of the Treaty for the purpose of obtaining the return of these "fugitives" to Cuban jurisdiction for crimes allegedly committed under the previous regime.

The Government of the United States most deeply deplores the deaths and injuries suffered by innocent Cuban citizens on the evening of October 21. However, in view of the publication to which I have referred and numerous other false reports which have been spread throughout the world concerning the alleged bombing and machine gunning of Cuban citizens by a plane which departed from the United States, I must ask Your Excellency for an explanation of the reason the Government of Cuba saw fit to publish this document so inconsistent with the good faith and mutual respect essential to the maintenance of good relations between our two countries. It is my sincere hope, Your Excellency, that the

that the account contained therein does not represent the official position of the Government of Cuba in this matter.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

[redacted]

Clearances:

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